

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte KENNETH W. MARR  
\_\_\_\_\_

Application No. 09/277,893

MAILED

AUG 27 2004

PAT. & T.M. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER  
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This application was received at the Board of Patent Appeals and Interferences on June 22, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

On July 12, 2004, appellant filed a Supplemental Information Disclosure Statement (Paper No. 39). It is not clear from the record whether the examiner fully considered the statements submitted or whether the examiner notified appellant of why the submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

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Accordingly, it is

ORDERED that this application be returned to the examiner for: 1) consideration of the Supplemental Information Disclosure Statement (Paper No. 39); 2) appropriate notification by the examiner to appellant of such consideration; and 3) for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of this appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS  
AND INTERFERENCES

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